

**AMENDED North Dakota Department of Labor and Human Rights
Housing Discrimination Complaint**

Fair Housing Act Case No.: 08-24-7224-8

NDDOLHR Case No.: NDH-39277

1. Complainants:

Leonard Hairston
4535 Urban Plains Drive South
Apt. Apt. 213
Fargo, ND 58103

Barbara Hairston
Greyhawk Apartments
4535 Urban Plains Drive South
Apt. Apt. 213
Fargo, ND 58103

2. Complainant Representatives:

3. Other Aggrieved Parties:

None

4. The following is alleged to have occurred or is about to occur:

- Discriminatory terms, conditions, privileges, or services and facilities
- Failure to make reasonable accommodation

5. The alleged violation occurred because of:

- Disability

6. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):

4535 Urban Plains Drive South
Apt. 213
Fargo, ND

7. Respondents:

Jenna **Geist**- Area Manager Geist
Campbell Property **Management, LLC**
4535 Urban Plains Drive
Suite 113
Fargo, ND 58104

Registered Agent: David P. Campbell
Campbell Property Management, LLC - Property Management Company
4654 Amber Valley Pkwy. S.
Fargo, ND 58104

Registered Agent: David P. Campbell
Greyhawk Apartments, LLC - Owner of Record
4654 Amber Valley Pkwy. S.
Fargo, ND 58104

8. The following is a brief and concise statement of the facts regarding the alleged violation:

Respondent Greyhawk Apartments LLC, as owner of the subject property known as “Greyhawk Apartments,” located at 4561 Urban Plains Dr S, Fargo, North Dakota, acting by and through its employee, Respondent Campbell Property Management, LLC, and Respondent Jenna Geist, Area Manager, Campbell Property Management, LLC (Respondent Geist), allegedly discriminated against Complainants by refusing to grant a reasonable accommodation needed for Complainant B. Hairston to equally use and enjoy housing as a person with disabilities, thereby subjecting Complainants to discriminatory terms and conditions based on disability in violation of the Fair Housing Act (the Act).

Sections: 804(f)(2)(A) and 804(f)(2)(C) and **N.D.C.C. 14-02.5-06(2)**

Issue: To discriminate against any person in the terms, conditions, or privileges of a rental, or in the provision of services or facilities in connection with such dwelling

Basis: Disability

Section: 804(f)(3)(B) and **N.D.C.C. 14-02.5-06(3)(b)**

Issue: A refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling

Basis: Disability

Complainants are a married couple who reside together at the subject property. Complainants state that Complainant B. Hairston is a person with readily observable disabilities, as defined by the Act. Complainants state that Complainant B. Hairston receives Supplemental Security Income (SSI) because of her disabilities. Complainants state that Respondents enforce a policy that tenants must

pay rent by the third day of each month to avoid late fees (the Policy).

Complainant B. Hairston states that on July 14, 2023, she emailed Respondent Geist asking for a waiver of the Policy to allow her to pay rent by the seventh day of each month as a disability-related reasonable accommodation. Complainants state that on July 18, 2023, Respondents approved the requested accommodation by email. Complainants state that on August 7, 2023, Complainant B. Hairston remembered she receives her SSI payment on the tenth of each month. Complainants state that on August 10, 2023, Complainant B. Hairston provided Respondent Geist a handwritten note asking Respondents to allow her to pay rent on the tenth of each month as a disability-related reasonable accommodation through a handwritten note.

Complainants allege that on August 10, 2023, Respondents began charging them late fees, thereby denying the requested accommodation. Complainants state that on September 8, 2023, they reiterated the requested accommodation by email. Complainants allege that Respondents never addressed the requested accommodation and have charged them \$240.00 in late fees, to date.

Complainants allege Respondents discriminated against them by refusing to grant a reasonable accommodation needed for Complainant B. Hairston to equally use and enjoy housing as a person with disabilities, thereby subjecting them to discriminatory terms and conditions in rental housing based on disability in violation of the Acts.

9. The most recent date on which the alleged discrimination occurred:

August 10, 2023, and is continuing.

10. Types of Federal Funding Identified:

11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:

804(f), and 804(f)(3)(B) of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988 and **14-02.5-06(2) and 14-02.5-06(3)(b) of the North Dakota Century Code, as amended.**

Please sign and date this form:

I attest that the above information is true and complete to the best of my knowledge, information, and belief.

Leon Hairston

01/29/2024

Leonard Hairston

Date

Barbara Hairston

01/29/2024

Barbara Hairston

Date

**N O T E : THE NORTH DAKOTA DEPARTMENT OF LABOR AND HUMAN RIGHTS
WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR
ORGANIZATION AGAINST WHOM IT IS FILED.**